



COMMONWEALTH of VIRGINIA

2005 DISASTER RECOVERY FUND

PROPOSAL FORMAT



**Department of Housing and
Community Development**

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INTRODUCTION

Funds have been allocated to Virginia to assist in recovery efforts for four disaster incidents that occurred between August 31, 2003 and October 1, 2004. The four incidents cover Hurricane Isabel (FEMA-DR-1491), Tropical Depression Gaston (FEMA-DR-1544), and two severe storm, flooding, and tornado events that occurred in southwest Virginia (FEMA-DR-1502 and FEMA-DR-1525).

Applications for assistance will be received and reviewed by the Department of Housing and Community Development.

An ORIGINAL and five copies of all Disaster Recovery proposals and supporting information must be submitted to DHCD by 5:00 pm on May 27, 2005 OR postmarked by this time and date for delivery via Federal Express, United Parcel Service, Priority Mail via the U.S. Postal Service or any other carrier for delivery within 2 business days following the proposal deadline. Proposals not delivered or mailed accordingly may be disqualified. The proposal format and forms are included in this document.

Potential applicants are encouraged to contact DHCD prior to submission of a Disaster Recovery proposal to discuss the project being targeted. Contact information is as follows:

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2005 COMMUNITY DEVELOPMENT BLOCK GRANT NATIONAL OBJECTIVES

Community Development Block Grant (CDBG) funding was established by the Housing and Community Development Act of 1974. In accordance with Section 104(b)(3) of the Act, the use of CDBG funding must “give maximum feasible priority to activities which will benefit low- and moderate-income families or aid in the prevention or elimination of slums and blight” and “may also include activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the community”. These provisions constitute the three CDBG national objectives.

The Virginia Community Development Block Grant Program makes funding available to units of local government for planning and implementing community development projects in non-entitlement localities, which are those not receiving CDBG assistance directly from the U.S. Department of Housing and Urban Development. Each project and each activity within a project which will utilize CDBG funding must meet a national objective. Projects may contain activities which meet different national objectives.

The National Objectives are further defined as follows:

Activities benefiting low- and moderate-income persons

Individuals or households whose household income is equal to or less than the Section 8 lower income limit

established by the U.S. Department of Housing and Urban Development (HUD) are determined to be low- and moderate-income. The Section 8 income limits are published annually by HUD. The lower income limit represents 80 percent of the area median income for like-sized households or 80 percent of the median income of the entire non-metropolitan area of the State, whichever is higher. No project will receive funding which benefits moderate-income persons (80 percent AMI) to the exclusion of low-income persons (50 percent AMI or less).

Activities benefiting low- and moderate-income persons must meet one of the following tests:

- Benefits are available to all of the residents in a particular area, wherein at least 51 percent of the residents are low- and moderate-income persons;
- At least 51 percent of the benefits are provided to low- and moderate-income persons;
 - Benefits will be provided to a clientele presumed to be principally low- and moderate-income persons; or,
 - If jobs are created or retained in a project, at least 51 percent of the aggregate jobs will be held by or made available to low- and moderate-income persons.

- In the case of a project providing relevant, direct outcome-based services, the following classes of people are considered LMI:
 - abused children
 - battered spouses
 - elderly persons
 - severely disabled persons (persons meeting the Bureau of Census' definition)
 - homeless persons
 - migrant farm workers
 - persons with AIDS
 - illiterate adults

Activities which aid in the prevention or elimination of slums or blight

An activity will be considered to address prevention or elimination of slums and blight in an area if:

- The delineated area meets a definition of a slum, blighted, or deteriorated or deteriorating area and is formally designated a slum or blighted area in accordance with State law. In Virginia, this definition and procedure for designation is available in Title 36, Article 7 of the Code of Virginia; and,
- Throughout the area, there is a substantial number of deteriorated or deteriorating buildings or the public improvements are in a general state of deterioration; and,
- The activity addresses one or more of the conditions which contributed to the deterioration.

Activities designed to meet community needs having a particular urgency

An activity will be considered to address this objective if the following conditions are met:

- The activity is designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; and,
- The conditions are of recent origin or recently became urgent. Recent is defined as within the preceding 18-months; and,
- The locality is unable to finance the project on its own and no other funding is available to address the problem; and,
- There exists a current declaration of emergency by the Governor of Virginia or of a health threat by the State Health Commissioner.

The Virginia Department of Housing and Community Development reserves the right to reclassify both activities and projects in terms of national objective as is appropriate. Projects which do not meet at least one of the three national objectives will not be considered for funding. Any activity within a project not shown to meet at least one of the three national objectives will not be considered for funding.

2005 COMMUNITY DEVELOPMENT BLOCK GRANT GENERAL POLICIES

There are a number of policies which are applicable to all assistance available under the Virginia Community Development Block Grant Program, except where noted:

National Objectives

All proposals and all project activities must address one of the three national objectives as detailed in the earlier section entitled Community Development Block Grant (CDBG) National Objectives.

Eligible Activities

All activities listed as eligible in the Community Development Block Grant regulations under 24 CFR Part 570, Subpart C are eligible for funding under the Virginia CDBG Program. These regulations are available via the World Wide Web at the following address: <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>.

Citizen Participation Requirements

Typical CDBG citizen participation requirements have been waived and streamlined procedures may be utilized. Applicants must still provide for public notice, appraisal, examination, and comment on the proposed activities. Applicants must submit a description of the activities undertaken to make citizens aware of the Disaster Recovery program. Copies of newspaper articles or ads, flyers, print-outs from websites,

and so forth must be included as part of the application.

Program Income

Income generated by a CDBG project is Program Income and must be returned to DHCD except in cases where a Program Income Plan has been approved. These Plans will, in general, only be approved when the income will be reinvested in the same activity that generated the income and in the same geographic location from which it was generated. Program Income received by DHCD will be used to fund additional eligible VCDBG projects.

Contract Negotiation

Following announcement of the award of a grant, DHCD will schedule a Contract Negotiation Meeting with a locality to further discuss the terms of the grant offer and to identify actions which must be taken by a locality, generally within a 90 day period, in order to receive a contract from DHCD. Failure on the part of a locality to complete identified actions will result in revocation of a grant offer by DHCD. Such actions typically include, but are not limited to, completion of Federal requirements, drafting and execution of other contracts and agreements, resolution of issues from previous contracts with DHCD, and completion of certain management planning activities.

Facility Control

Any facility built or improved with VCDBG funding must be controlled for at least 20 years through ownership or lien by the local government and maintained for the intended use OR the facility or the amount of VCDBG funding invested in the facility must be returned to the local government to utilize for other VCDBG-eligible activities authorized by DHCD.

Anti-Displacement

Localities must minimize the displacement of individuals, families, businesses, organizations, and farms in implementing projects using CDBG funding. This includes direct displacement resulting from real property acquisition, rehabilitation, demolition, and conversion and any indirect displacement.

Localities targeting Community Improvement Grant funding must certify that displacement will be minimized at the local level and that a Residential Anti-displacement and Relocation Assistance Plan will be followed which includes a one-for-one replacement provision. Each recipient of Community Improvement Grant funding must provide financial benefits and advisory services to any individual or entity involuntarily and permanently displaced as a result of a CDBG-assisted activity. This assistance must be provided on an equitable basis.

Acquisition

Proper federal regulatory procedures must be followed when acquisition is identified as a potential project activity and CDBG funds will be utilized.

CDBG funds will only pay up to the fair market value established by a formal appraisal and review appraisal.

Project Modifications

DHCD reserves the right to adjust requests for VCDBG assistance and the terms of this assistance to optimize the provision of benefits, ensure that activities and improvements are eligible for VCDBG assistance, and otherwise promote efficient utilization of available funding.

Contracts and Payments

DHCD reserves the option of funding projects under more than one performance-based contract and from more than one year's CDBG allocation. DHCD reserves the option of canceling additional contracts due to non-performance on initial contracts.

DHCD will make prompt payments under current contracts pending confirmation that performance expectations are being met. DHCD reserves the option of withholding payments for non-performance under any particular VCDBG project and for non-performance under any other DHCD programs.

DHCD Technical Assistance

DHCD will provide technical assistance to local governments and their agents in preparing and submitting proposals and otherwise pursuing assistance under the Virginia CDBG Program. This assistance will generally occur via telephone, facsimile transmission, electronic mail, formal meetings, and occasional site visitation.

Environmental Consideration For Construction Projects

Applicants are advised to contact the Department of Historic Resources early in the project planning process.

Planning District Commission Review

Local governments must comply with the Code of Virginia §15.2-4213. This section of the Regional Cooperation Act

requires that Planning District Commissions be notified by local governments of applications for state or federal aid. As this notification is for informational purposes only, it may take many forms during the pursuit of VCDBG assistance. Notification may be more standardized for those VCDBG assistance offerings with formal proposal submission requirements.

2005 DISASTER RECOVERY FUND

Virginia has received \$5,724,016 in disaster recovery funds to assist in recovery efforts for four disaster incidents that occurred between August 31, 2003 and October 1, 2004. The four incidents cover Hurricane Isabel (FEMA-DR-1491), Tropical Depression Gaston (FEMA-DR-1544), and two severe storm, flooding, and tornado events that occurred in southwest Virginia (FEMA-DR-1502 and FEMA-DR-1525).

The Department of Housing and Community Development (DHCD) will administer this program in accordance with the guidelines and procedures established through the state Community Development Block Grant Program.

DHCD will utilize 2% for administrative costs (\$114,480). The remaining \$5,609,536 will be distributed utilizing a threshold-based system described below.

Eligible Local Governments

A list of all eligible local governments has been included. Due to the widespread damage caused by Hurricane Isabel and Tropical Depression Gaston, most localities in the Commonwealth are eligible for assistance. Entitlement and non-entitlement localities (as identified by the emergency declarations) are eligible for assistance.

Application Limit

Eligible localities may apply for up to \$700,000 per project, with each eligible

applicant permitted to submit only one application. Applications may address multiple activities (housing rehabilitation, façade improvements, public facility improvements, and so on) within the locality.

Project Requirements

- Administrative costs will be capped at 10%
- Construction-related soft costs will be capped at 10%
- At least 50% of all funds (aggregate for the program) will be directed toward low-to-moderate income benefit. DHCD reserves the right to reduce or reject requests that do not direct at least 50% of the requested funds to LMI benefit
- A 10% match of the entire grant amount, utilizing non-federal, public funds, is required
- All disaster recovery and associated leverage funds must be expended within 24 months of effective contract date
- Where substantial reconstruction is necessary, the locality must identify a suitable location outside of the 100-year flood plain or present evidence that all efforts to identify a suitable location have been exhausted
- All projects must follow the applicable terms and requirements set forth by the state CDBG program

Project Priorities

Applications will be evaluated based on the priority of need as follows:

- Individual assistance will be considered the highest need
- Business assistance will be considered the next highest need
- Public works (facilities) will be considered the next highest need

Eligible Activities

All activities must be CDBG-eligible, including but not limited to the following:

- Individual assistance
 - Housing rehabilitation and substantial reconstruction to DHCD Housing Quality Standards
 - New construction (must be approved)
 - Hazard mitigation, such as elevation
 - Relocation, in instances where current dwelling is located in flood plain and residence has been determined to need substantial reconstruction
 - Downpayment assistance
 - Reimbursement for materials (not labor) for individual households that received documentable damage from a covered incident where all other forms of assistance (insurance, FEMA, etc...) have been exhausted
 - Provision of a manufactured home on a case-by-case basis with prior DHCD approval
 - Acquisition and demolition of dwellings suffering storm-related damage
- Business assistance

- Exterior (façade) improvements, to be matched on a 50/50 basis by owner (owner-funded interior and exterior improvements can be counted as match)
- Interior improvements, where CDBG funds are available as a loan
- Public assistance (public works / facilities)
 - Repair or improvement of public works facilities / infrastructure
 - Hazard mitigation
 - Debris removal
- Other activities as noted in the emergency declarations

Allocation Process

DHCD, in its assessment of the 2005 Disaster Recovery Fund, has determined that assisting individual households will be the highest priority. However, as part of this assessment, it has been determined that there is significant need for the rehabilitation of commercial businesses, which will be the second priority. The third highest area of need has been determined to be assistance for public works (facilities). Applications are due to DHCD by May 27, 2005. Funding will be made available to all applicants if the amount of approved requests is less than the amount of funds available (\$5,609,536).

If the demand for funds exceeds the amount available, the following allocation mechanism will be used:

- 70% of the funds (\$3,926,675) will be directed to individual assistance; any remaining funds will be directed to business assistance

- 20% of the funds (\$1,121,907) will be directed to business assistance; any remaining funds will be directed to public assistance
- 10% of the funds (\$560,954) will be directed to public assistance
- If requests for business assistance or public assistance do not equal the amount of available funds, then excess funds will be redirected to individual assistance.

Evaluation Factors and Rating Process – Demand Greater than Funds Available

If the request for funds exceeds the amount available, funds will be allocated per the method described above (70-20-10). Each application will be reviewed and rated using a 100 point scoring system. To evaluate each application, the following criteria will be used.

- 1) **Readiness (30 points)** – Have all beneficiaries been identified? Have sources of funding been identified and applied for or secured? Have all regulatory approvals been obtained? Have all critical roles been filled?
- 2) **Leverage (30 points)** – What are other sources of leverage? Have these funds been firmly committed or already spent (if spent, does documentation exist to substantiate these expenditures)? If the applicant is an entitlement community, how were CDBG funds committed to address the identified needs?
- 3) **Need (20 points)** – How were the applicant's needs

identified and quantified? What percentage of assistance will be directed to low- to moderate-income individuals? What percentage to non- low- to moderate- income beneficiaries?

- 4) **Impact (10 points)** - Will this project address all unmet needs? How will the applicant address remaining unmet need?
- 5) **Cost Appropriateness (10 points)** – What is the cost per beneficiary or cost per household? Are the activities appropriate? What is the basis for the cost estimates?

If funds are still remaining following the initial solicitation and award of funds, eligible localities will be notified that following a specified date, additional requests will be received and evaluated on a first-come, first-serve basis.

If funds are still available following the second solicitation, DHCD reserves the right to reimburse the state CDBG program for expenses that were incurred as a result of DHCD's response to the four named disaster events.

At least 50% of all funds (aggregate for the program) will be directed toward low-to-moderate income benefit. DHCD reserves the right to reduce or reject requests that do not direct at least 50% of the requested funds to LMI benefit

REQUESTS FOR INDIVIDUAL ASSISTANCE

Assistance to individuals whose homes incurred damage as a result of one of the named disaster incidents is an eligible activity.

In all circumstances of individual assistance, the following conditions must be met:

- The household may be owner-occupied or tenant-occupied
 - Owner-occupied housing will be receive a higher priority with LMI owner occupied housing receiving the highest priority
 - Acceptance of tenant-occupied housing will be contingent on the level of landlord contribution
- The residence must be the sole domicile of the beneficiary
- The house or unit must have experienced a 50% or greater loss in value as a result of the disaster
- The homeowner or landlord documents that any property insurance payments or other forms of assistance will be utilized prior to any use of CDBG funds

The following activities are eligible under this program:

- Housing rehabilitation and substantial reconstruction to DHCD Housing Quality Standards
- New construction (must be approved)

- Hazard mitigation, such as elevation
- Relocation, in instances where current dwelling is located in flood plain and residence has been determined to need substantial reconstruction
- Downpayment assistance
- Reimbursement for materials (not labor) for individual households that received documentable damage from a covered incident where all other forms of assistance (insurance, FEMA, etc...) have been exhausted
- Provision of a manufactured home on a case-by-case basis with prior DHCD approval
- Acquisition and demolition of dwellings suffering storm-related damage

Administrative costs may not exceed 10% of the construction costs. Related non-construction costs (soft-costs) may not to exceed 10% of construction cost.

The cost limit for completion of all eligible construction activities, administration, and construction related soft-costs is \$50,000 per house.

Manufactured home rehabilitation is limited to \$10,000. Manufactured housing that cannot be rehabilitated for less than a maximum of \$10,000 of CDBG funds must utilize other sources of funding or investigate the potential to replace the manufactured housing with stick-built housing.

Funds are made available as a forgivable loan. The loan is made to the client at

0% interest amortized over ten (10) years. The loan must be secured by a lien, which is held by the locality that receives the funds from DHCD. The loan will be forgiven on a proportional basis monthly over the ten year life of the loan. No Ability-to-Pay calculation is required. However, payback is required if the home is sold prior to the completion of the 10 year period.

For non-LMI occupied rental housing, *only* reimbursement for materials is eligible.

For LMI occupied rental housing, the execution of a legally-recorded commitment to provide the improved housing units to LMI households for no less than 10 years at affordable rents must be included.

For tenant-occupied housing, landlord agreements stating their intent to participate and amount of private match contribution must be included in a letter signed by the landlord.

Individual Assistance Proposal Elements

All applicants must address the *General Proposal Elements* outlined in this document. Additionally, applicants should provide a narrative discussion to specifically state conditions surrounding the need for individual assistance. This may include:

- Descriptions of instances where individuals for which assistance is being sought have been displaced and can no longer live in their homes (individuals living in temporary sites)

- Discussion of severity of storm(s) and its impact on the locality's housing stock, residents, quality of life, etc...
- Unique or severe household situations
- Impact on affordable housing and efforts to increase availability of affordable housing (if applicable)
- If applicable, discussion of landlord participation (number of units, type of housing, amount of landlord match, and so forth)
- Need for downpayment assistance and how this activity will be managed

Household Information Charts

Applicants must complete the following applicable charts to document the individuals and levels of assistance that is being sought through this application.

Applicants must also provide a narrative discussion for the relevant items listed under *General Proposal Elements*.

Owner-Occupied Household Information

Household Information			Unit Type		Activity Cost Estimate (estimate cost for each category)						Total Amount of CDBG Assistance (per house)
Client Name	Address	LMI (Y / N)	Single- Family	Mobile Home	Rehab	Acquisition	Relocation	Substantial Reconstruction	Elevation	Administrative, legal, or other non – construction costs	

Tenant-Occupied Household Information
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Household Information			Unit Type (apt, mobile home, duplex, etc...)	CDBG Activity Cost Estimate (estimate cost for each category)	Landlord Contribution Estimate (participation agreements must be signed and include contribution amount)	Activity Type (rehab, substantial reconstruction, elevation, etc...)	Total Amount of Assistance (per house / unit)
Client Name	Address	LMI (Y / N)					

All applicants must complete this Household Summary chart as part of the application.
The number of households served should correlate to the number of households listed in the charts on the preceding page.

Household Information Summary

Product (specify service)	# HHs Served	# LMI HHs Served	# Persons Served	# LMI Persons Served	% LMI Persons Served	Total Amount of CDBG Funds Requested	Amount of Other Committed / Invested	% of CDBG Assistance Directed to LMI Benefit
Housing Rehabilitation								
Substantial Housing Reconstruction								
Water								
Sewer								
Other								

REQUESTS FOR BUSINESS ASSISTANCE

Assistance to business owners whose businesses incurred damage as a result of one of the named disaster incidents is eligible.

The following activities are eligible to assist businesses under this program:

- Exterior (façade) improvements, to be matched on a 50/50 basis by owner (owner-funded interior and exterior improvements can be counted as match)
- Interior improvements, where CDBG funds are available as a loan

Owner agreements stating their intent to participate and amount of private match contribution must be included in a letter signed by the business owner.

Demolition of buildings should be programmed only as a last resort. Efforts should be made to minimize the displacement of residents and businesses.

Business Assistance Proposal Elements

All applicants must address the *General Proposal Elements* outlined in this document. Additionally, applicants should provide a narrative discussion to specifically state conditions surrounding the need for business assistance. This may include:

- Discussion of severity of the storm(s) damage and its impact on the business community (including the number of jobs lost, number of businesses that closed or relocated outside of the

locality, decline of revenues as a resulting of temporary or permanent closings)

- Loss or damage to historic or unique businesses
- Number of business and jobs to be created or retained as a result of assistance
- If applicable, the process detailing the need for a loan pool, how the pool will be administered, guidelines for eligibility, oversight of the pool, process for marketing assistance, and so forth
- If applicable, discuss the benefit to low- to moderate- income individuals (such as job creation / retention, assistance to LMI owners, etc...)

Business Information Chart

Applicants must complete the following informational chart if business assistance is being sought.

Applicants must also provide a narrative discussion for the relevant items listed under *General Proposal Elements*.

Business Information Summary

Business Information			CDBG Activity Cost Estimate (estimate cost for each category)		Owner Participation Estimate (signed participation agreements must be included)		Employment Information		Amount of CDBG Funds for LMI Benefit
Business Name	Address	Type of Business	Facade	Interior (CDBG funds used for interior improvements are treated as a loan, not a grant)	Facade	Interior	# of Existing Employees (if this is a new business or one that is re-opening), insert "zero" and indicate <i>new</i> or <i>re-opening</i>	# of Jobs Created / Retained	

REQUESTS FOR PUBLIC FACILITY / WORKS ASSISTANCE

Assistance is available to repair / replace public facilities / public works that incurred damage as a result of one of the named disaster incidents.

- Current condition (limited capacity, fully operational, offline, and so forth)

The following activities are eligible to assist public facilities under this program:

- Repair or improvement of public works facilities / infrastructure
- Hazard mitigation
- Debris removal
- Other activities as noted in the emergency declarations

Public Facility Information Charts

Applicants must complete the following informational charts if public facility / works assistance is being sought.

Applicants must also provide a narrative discussion for the relevant items listed under *General Proposal Elements*.

Public Facility Assistance Proposal Elements

All applicants must address the *General Proposal Elements* outlined in this document. Additionally, applicants should provide a narrative discussion to specifically state conditions surrounding the need for public facility assistance. This may include:

- Discussion of severity of storm(s) damage and its impact on the locality's public facilities
- Disruptions in service (utility, road, etc...) as a result of the storm and any lingering impacts (economic, quality of life, etc...)
- Repairs that are necessary but which have been cost prohibitive
- Number of customers / citizens impacted by public facility damage
- Discussion of efforts to mitigate damage from future incidents

Public Facility / Public Works Information

Type of Facility	Location	Responsible Management Entity	Number of Users / Clients / Customers	Current Status / Condition	Amount of CDBG Funds Requested	Amount of non-CDBG Requested Funds Invested / Committed

Public Works / Public Facility Summary

CDBG Funded Product	# Households Served	# LMI Households Served	# Persons Served	# LMI Persons Served	% LMI Persons Served	Amount of CDBG Funds Requested	Amount of Other Committed / Invested Funds	% of CDBG Funds Directed to LMI Benefit
Housing								
Water								
Sewer								
Streets								
Utility								
Other								

GENERAL PROPOSAL ELEMENTS

For each request, applicants must submit documentation that:

- Identifies all beneficiaries, to include each individual household, each business, and / or each public works project
 - Identifies all low-to-moderate income beneficiaries, amount of project funds and percentage of project funds directed to LMI benefit
 - Identifies all non- low- to moderate- income beneficiaries, amount of funds and percentage of project funds directed to non-LMI benefit
- Identifies the process used to identify and quantify the applicant's needs and extent to which all needs will be met
 - Describes efforts that will be undertaken to address any remaining unmet need
- Describes how costs were determined for each project activity (Preliminary Engineering Report, housing inspections, architectural assessments, and so forth)
- Identifies all other sources of funding that have been applied for (both secured and denied) and demonstrate that all other potential resources have been exhausted prior to use of CDBG funds
 - If an applicant is an entitlement community, documentation must be submitted to show how CDBG funds and local funds were used to address the identified needs
 - Entitlement communities that did not utilize CDBG funds to provide disaster recovery assistance must provide an explanation as to why not
- Documents available match sources, which must be for *eligible, documented* expenditures on CDBG funded properties after the disaster occurred and which relate to the disaster
- Details the process to ensure that all Health Department, FEMA, Building Code, Zoning, and other regulatory approvals for proposed activities and affected properties will be obtained and which specifically outlines the timeline for obtaining all necessary approvals

Project Area Maps

Each proposal must contain a copy of a U.S. Geological Survey (USGS) map which shows major geographic features, including streets, and clearly illustrates the location of the proposed project activities. ALL maps should be LEGIBLE and contain the following:

- A scale which is clearly marked on the map;
- Boundaries of the locality
- Boundaries of the project or service area where activities will be concentrated;
- Location(s) of all proposed project activities, including water and sewer lines by type;

Applicants may generate charts, tables, matrices to supplement any narrative discussion. **Photographs may be included to support the need for assistance.**

Financial Summary Information

Applicants must complete the Project Budget, Sources Budget, and Derivation of Costs forms.

Applicants should also include contracts, agreements, award letters, and other documentation which confirms the commitment of other funding to the project. The firmer the commitment, the greater the likelihood the other funding will be recognized during proposal review. If the pursuit of funding is merely at the application stage, include a copy of the application.

Include documentation supporting the costs included in the project budget and detailed in the cost derivation. All costs should be documented to some extent. Include bids, estimates, summaries, professional opinions, financial sections of reports, and so on.

At least 50% of all funds (aggregate for the program) will be directed toward low-to-moderate income benefit. DHCD reserves the right to reduce or reject requests that do not direct at least 50% of the requested funds to LMI benefit.

Project Budget

	ACTIVITY AND LINE ITEM	TOTAL BUDGET	CDBG DISASTER RECOVERY BUDGET	NON-CDBG BUDGET
A	Administration			
	Advertising			
	Audit			
	Legal			
	Printing and Postage			
	Workshop Expenses / Travel			
	Project Administration			
	Indirect Charges			
	Subtotal	0.00	0.00	0.00
B	Interim Assistance	0.00	0.00	0.00
C	Demolition / Clearance (S&B)	0.00	0.00	0.00
D				
	Architect / Engineer / Design			
	Inspection			
	Acquisition			
	Relocation			
	Demolition / Clearance			
	Construction / Improvements			
	(Other)			
	Subtotal	0.00	0.00	0.00
E				
	Architect / Engineer / Design			
	Inspection			
	Acquisition			
	Relocation			
	Demolition / Clearance			
	Construction / Improvements			
	(Other)			
	Subtotal	0.00	0.00	0.00

	ACTIVITY AND LINE ITEM	TOTAL BUDGET	CDBG DISASTER RECOVERY BUDGET	NON-CDBG BUDGET
F				
	Architect / Engineer / Design			
	Inspection			
	Acquisition			
	Relocation			
	Demolition / Clearance			
	Construction / Improvements			
	(Other)			
	Subtotal	0.00	0.00	0.00
G				
	Architect / Engineer / Design			
	Inspection			
	Acquisition			
	Relocation			
	Demolition / Clearance			
	Construction / Improvements			
	(Other)			
	Subtotal	0.00	0.00	0.00
H				
	Architect / Engineer / Design			
	Inspection			
	Acquisition			
	Relocation			
	Demolition / Clearance			
	Construction / Improvements			
	(Other)			
	Subtotal	0.00	0.00	0.00
	Total			

Sources Budget

<u>Source</u>	<u>Amount</u>	<u>Percentage</u>	<u>Funding Source</u>
VCDBG Disaster Recovery	\$	%	
State	\$	%	
Federal (Grant)	\$	%	
Federal (Loan)	\$	%	
Local	\$	%	
Private	\$	%	
TOTAL	\$	100%	

What is the current status of non-VCDBG funding? Provide a summary of the current level of commitment and availability of each source of non-VCDBG funding identified above. Provide commitment letters, contracts, or similar documentation

A 10% match of the entire grant amount, utilizing non-federal, public funds, is required. Please be sure to clearly indicate this source of match.

Match contributions must be made to disaster recovery activities related to covered disasters. Match funds may be provided by any public entity from non-Federal cash (general or dedicated revenues, real estate, or other similar assets owned by or controlled by the public entity or the value of public improvements and public facilities activities, or force account undertaken. Match funds must be reasonably valued. The applicant must make match contributions before all VCDBG Disaster Recovery funds are expended. Applicants may not count administrative and planning costs toward the required non-Federal public matching funds. Contributions that have been or will be counted as satisfying a matching requirement of another Federal grant or award, including any disaster recovery grant, may not count as satisfying the matching requirement for this program.

[illegible]

Citizen Participation Requirements

Typical CDBG citizen participation requirements have been waived and streamlined procedures may be utilized. Applicants must still provide for public notice, appraisal, examination, and comment on the proposed activities. Applicants must submit a description of the activities undertaken to make citizens aware of the Disaster Recovery program. Copies of newspaper articles or ads, flyers, print-outs from websites, and so forth must be included as part of the application.

Planning District Commission Review

Each applicant must provide a copy of its proposal to the local Planning District Commission for review. This review is for informational purposes only. The role of the Planning District Commission is not to approve or reject proposals. Include a copy of the transmittal letter here and any correspondence received from the Planning District Commission prior to proposal submission.

Local Government Resolution

Include a copy of a resolution passed by the local governing body of the applicant giving the chief administrative official authority to complete, sign, and submit this proposal. The resolution must contain the following:

- That the locality wishes to apply for Virginia Community Development

Block Grant (VCDBG) Disaster Recovery funds;

- The project type and title;
- The amount of VCDBG Disaster Recovery funds requested;
- The amounts of local, state, or federal funds that are part of the total project cost;
- That the chief administrative official is authorized to sign and submit all appropriate information necessary to apply for VCDBG Disaster Recovery funding; and,
- That citizen participation requirements have been (include description of activities)
- That, in LMI benefit projects, the project will meet the National Objective of providing benefit to LMI persons and that there will be a specific projected number of LMI beneficiaries (number of households / persons receiving new water service, and so on).

Cover Sheet

All proposals must include a complete Cover Sheet. A sample Cover Sheet has been included. All Cover Sheets must include the following items:

Applicant

Provide the name of the applying unit of local government.

Chief Elected Official

Provide the name of the Chief Elected Official (CEO) of the applicant locality.

Local Government Address / Contact Person

Provide the mailing address of the applicant locality. Provide the name and phone number of a person who can provide additional information about the proposal, PREFERABLY the person who prepared the proposal. Also provide the name and phone number of the Chief Administrative Officer.

Project Name

Provide the local name and /or applicant's title for the project which reflects either its physical location and project type or purpose (i.e., Lowground Road Housing Rehabilitation Project), or its service area and project type or purpose (i.e., Severn Business Incubator Project or Petsworth Workforce Training Center Project).

Project Description

PLEASE COMPLETE THIS SECTION AFTER COMPLETING THE CORE PROPOSAL. This description should identify the location of the proposed project, should include a summary of the products / activities to be completed, including sizes and quantities, and the level of benefit to be provided. An example:

The County will construct approximately 4,000 linear feet of eight-inch water line and approximately 900 linear feet of three-quarter inch service laterals to provide new water service to 40 owner-occupied housing units. This project will benefit 90 persons, 70 of

whom are low- and moderate-income.

Project Cost

List the sources of funding in the project in terms of the categories shown. These sources should be the same as those shown in the **SOURCES BUDGET**.

National Objectives

Provide a description of which National Objective (LMI benefit, prevention and/or elimination of slums/blight, or urgent community need) is being met by the proposed project activities, along with the dollar amount that can be attributed to the specific Objectives.

Population

Specify the population of the applicant locality.

Preparer

Provide the name and phone of the person who actually prepared this application.

Certification and Signature

Provide the name, title, and signature of the Chief Administrative Officer of the applicant. This statement certifies that the proposal and attachments are true and correct, that the proposal has been authorized by the governing body of the locality, and that it has been submitted for Planning District Commission review.

2005 DISASTER RECOVERY COVER SHEET

Applicant:

Chief Elected Official:

Local Government Address and Contact:

Project Name and Description:

Project Cost:

<u>Source</u>	<u>Amount</u>	<u>Percentage</u>
VCDGB Disaster Recovery		
State		
Federal (Grant)		
Federal (Loan)		
Local		
<u>Private</u>		
TOTAL		100%

National Objectives:

Please note that approximate amount of funds proposed in this project which can be attributed to each of the listed National Objectives (amount may be \$0).

National Objective
LMI Benefit

Proposed Activity

CDBG Amount

Slum/Blight

Urgent Need

Population:

Please indicate the population of the applicant locality: _____

Preparer:

Provide the name and phone number of the person who actually prepared this application.

Certification and Signature

To the best of my knowledge and belief, information in this proposal is true and correct and the proposal has been duly authorized by the local governing body.

Name: _____ Title: _____

Signature: _____ Date: _____

*Provide an original and five copies of all proposals to DHCD no later than
May 27, 2005.*

2005 VCDBG DISASTER RECOVERY GENERAL ASSURANCES AND CERTIFICATION

Original copy in original proposal; photocopies in other copies

The applicant hereby assures and certifies that:

- (a) It possesses legal authority to apply for the grant, and to execute the proposed program.
- (b) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the filing of the application including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- (c) Its chief executive officer or other officer of applicant who has been approved by the Virginia Department of Housing and Community Development:
 - i. Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of Federal law, as specified at 24 CFR 58.5(a) through (h) which serve to further the purposes of NEPA insofar as the provisions of such Federal law apply to this Program;
 - ii. Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal and Commonwealth of Virginia courts for the purpose of enforcement of his responsibilities as such an official.
- (d) It will comply with the regulations, policies, guidelines and requirements of the Code of Federal Regulations (24 CFR Part 85), OMB Circular A-128 and Circular A-87 as they relate to the application, acceptance, and use of Federal funds under this Program; and, as applicable, all State laws and administrative requirements which may supersede them (by virtue of being more stringent).
- (e) It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards and Executive Order 12088 relating to the prevention, control and abatement of water pollution.
- (f) It will require buildings or facilities designed, constructed, or altered with funds provided under this Program to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1-R 1980, or Uniform Federal

Accessibility Standards (UFAS) in accordance with the Virginia Uniform Statewide Building Code. The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

- (g) It will not recover the capital costs for public improvements financed in whole or in part with CDBG funds through assessments against properties owned and occupied by low- and moderate-income persons nor will fees or assessments be charged to such persons as a condition of obtaining access to the public improvements. (Per section 104(b)(5) of Title I of Housing and Community Development Act of 1974, as amended).
- (h) It will comply with:
 - i. Title VI of the Civil Rights Act of 1964 (Pub. L 88-352), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance. A recipient, in determining the types of housing, accommodations, facilities, services, financial aid, or other benefits which will be provided under any such program or activity, or the class of persons to whom, or the situations in which, such housing, accommodations, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of persons to be afforded an opportunity to participate in any such program or activity, may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity as respect to persons of a particular race, color, or national origin.

The project service area shall not be selected in such a manner as to provide services to a population in which the proportion of minority and other protected population groups is substantially lower than the proportion of those groups throughout the jurisdiction of the locality unless:

- the areas of disproportionate concentrations of minority and other protected population groups has already been served, or
- there are definite plans for the imminent provision of similar services to those areas, or
- there is reasonable justification for the provision of services to the selected area notwithstanding the substantially lower proportion of minority and other protected population groups.

- ii. Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services.
- iii. Section 109 of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 CFR Part 570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or part with funds provided under this Program. Any prohibition against discrimination on the basis of age under Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973 as amended shall also apply to this Program.
- iv. Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with Federal assistance.
- v. Executive Order 11246, and the regulations issued pursuant thereto 41 CFR Chapter 60), which provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal or federally assisted construction contracts. Contractors and subcontractors on Federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.
- (i) It will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project.
- (j) It will:
 - i. In acquiring real property be guided, to the greatest extent practicable under State law, by the land acquisition policies in Sections 301 and 302 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and

- ii. Pay or reimburse property owners for necessary expenses as specified in Section 303 and 304 of the Uniform Act; and
- iii. Comply with the applicable Sections (202 through 205) of Title II (relocation assistance) of the Uniform Act in providing relocation payments and relocation assistance; and
- iv. Comply with DOT regulations at 49 CFR Part 24 in implementing the requirements, it will:
 - 1) Carry out the policies and procedures of Part 24 in a manner that insures that the acquisition and relocation processes do not result in different or separate treatment to persons on account of race, color, religion, sex, national origin, or source of income; and
 - 2) Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of race, color, religion, sex, national origin, or source of income; and
 - 3) Inform affected persons of their rights under the policies and procedures set forth under the regulations in Part 24, including their rights under Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended.
- (k) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- (l) It will comply with the provisions of the Hatch Act which limits the political activity of employees.
- (m) It will comply with the provisions of the Davis-Bacon Act as amended and the Contract Work Hours and Safety Standards Act as determined by the Secretary of Labor. This section shall apply to rehabilitation of residential property only if such property is designed for residential use of eight or more families.
- (n) It will give the Virginia Department of Housing and Community Development and the Comptroller General through any authorized representatives access to and the right to examine all records, books, papers, or documents related to the grant.
- (o) It will insure that facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the program are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the

Virginia Department of Housing and Community Development of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

- (p) It will comply with the flood insurance purchase requirements of Section 102 (a) of the Flood Disaster Protection Act of 1973, Pub. L. 93-234, 87 Stat. 975, approved December 31, 1973. Section 103 (a) required, on and after March 2, 1974, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area, that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
- (q) It will in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470), Executive Order 11593, and the Preservation of Archeological and Historical Data Act of 1966 (16 U.S.C. 469a-1, et. Seq.) by:
 - i. Consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the proposed activity, and
 - ii. Complying with all requirements established by HUD and the Virginia Department of Housing and Community Development to avoid or mitigate adverse effects upon such properties.
- (r) Assure upon funding, it will implement a "residential anti-displacement and relocation assistance plan," pursuant to Section 570.496a(b).
- (s) It will implement all required actions to ensure compliance pursuant to 24 CFR Part 8, Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities.
- (t) The undersigned certifies, to the best of his or her knowledge and belief, that:
 - i. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any

cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- ii. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or any agency, Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- iii. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- (u) Any survey information submitted with the application is a true representation of the data and has not been altered or fabricated. The survey was conducted and analyzed in strict accordance with the methodology stated.
- (v) The certification set out below is a material representation upon which reliance is placed by the U.S. Department of Housing and Urban Development in awarding the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the U.S. Department of Housing and Urban Development, in addition to any other remedies available to the Federal Government, take action authorized under the Drug-Free Workplace Act.

Chief Administrative Official:

_____	_____
Name	Title
_____	_____
Signature	Date

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about -
 - i. The dangers of drug abuse in the workplace;
 - ii. The grantee's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the U.S. Department of Housing and Urban Development within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such condition;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –
 - i. Taking appropriate personnel action against such an employee, up to and including termination; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Chief Administrative Official:

Name

Title

Signature

Date

Original copies in original proposal; photocopies in other copies.